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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,600	04/23/2001	Jerry H. Ross	76,736	1490
7590	08/19/2004		EXAMINER	
STOCKSTILL, CHARLES J. DEPT. OF THE NAVY, OFF. OF GEN. COUN. NAVAL RES. LAB., CODE 3008.20 4555 OVERLOOK AVE., N.W. WAHSINGTON, DC 20375			PIHULIC, DANIEL T	
			ART UNIT	PAPER NUMBER
			3662	
DATE MAILED: 08/19/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.	ROSS, JERRY H.
Examiner Daniel Pihlic	Art Unit 3662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-8 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) \_\_\_\_ is/are rejected.
- 7) Claim(s) 1-8 is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 23 April 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: *Notice of Informal S.I.R.*

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1. The abstract should be limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. Also the last sentence does not end with a period.

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented. Misnumbered claim 9 has been renumbered to 8.

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

4. The disclosure is objected to because of the following informalities: on page 1, last line, the term "copperor" appears to be misspelled.

5. Claim1-8 objected to because of the following informalities:

in claim 1, line 22, the term "plurallity" appears to be misspelled;

in claim 1, line , the term "sais" appears to be misspelled;

in claim 6, line 3, the term "eighy" appears to be misspelled;

in claim 7, line 39, the term "replication" appears to be misspelled; and

in claim 8, line 37, the term "replication" appears to be misspelled.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Pihulic whose telephone number is

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703-306-4168. The examiner can normally be reached on Monday through Thursday from 7 a.m. to 5 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarca, can be reached on 703-306-4171.

The fax phone numbers for the organization where this application or proceeding is assigned are:

703-872-9306 for official responses, and

703-746-3847 for unofficial communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Daniel Pihulic  
Primary Examiner  
Art Unit 3662**

<b>Notice of Informal Statutory Invention Registration Request</b>	Application/Control No.	Applicant(s)
	09/839,600	ROSS, JERRY H.
	Examiner Daniel Pihulic	Art Unit 3662

The Request for a Statutory Invention Registration (SIR) in the above identified application filed on 23 April 2001 is informal and approval of the Request is refused because:

- 1. the Statutory Invention Registration (SIR) Request does not contain a proper and complete waiver of the applicant's right to receive a patent on the invention claimed effective upon the date of publication of the Statutory Invention Registration (SIR) Request (37 CFR 1.293(b)(1)).
- 2. the Statutory Invention Registration (SIR) Request does not contain a statement that, in the opinion of the requester, the application to which the Request is directed meets the requirements of 35 U.S.C. 112 as required by 37 CFR 1.293(b)(3).
- 3. the Statutory Invention Registration (SIR) Request does not contain a statement that, in the opinion of the requester, the application to which the Request is directed complies with the formal requirements of the patent rules of practice set forth in part 1 of 37CFR for printing as a patent (37 CFR 1.293(b)(4)).
- 4. the subject matter of the application is not appropriate for publication (37 CFR 1.294(a)(1)) because: \_\_\_\_\_.
- 5. the application papers do not meet the requirements for publication (37CFR 1.294(a)(Z)) because: \_\_\_\_\_.
- 6. the application is informal for the reasons stated on the attached "Notice of Informal Patent Application".
- 7. Other: See attached sheet

#### PERIOD FOR RESPONSE

- Applicant is given a one month period for response to correct the above noted defects. This period may be extended under 37 CFR 1.136. If no timely response is received, the application will be abandoned for failure to respond under 37 CFR 1.135.
- The period for response to this Notice is that set in the accompanying "Notice of Non-compliance" with 35 U.S.C. 112 of application having SIR Request".